

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CIVIL DIVISION

Case No. 22-81731-CV-MIDDLEBROOKS/MATTHEWMAN

DEVIN FILIPPELLI, as Personal )  
Representative of the ESTATE OF )  
KRYSTAL TALAVERA, on behalf of the )  
Estate and her Survivors, )  
 )  
Plaintiff, )  
vs. )  
 )  
GROW, LLC (d/b/a KD NCORPORATED )  
and THE KRATOM DISTRO); and )  
SEAN MICHAEL HARDER, individually. )  
 )  
Defendants. )  
\_\_\_\_\_ )

**RESPONSE TO ORDER TO SHOW CAUSE**

The undersigned counsel, Justin D. Niznik, hereby responds to this Courts Order to Show Cause dated May 10, 2023 (DE 50) and states as follows:

1. The Order Approving the Motion to Withdraw (DE 47) was served to Grow, LLC and Sean Michael Harder by electronic transmission on April 18, 2023, which receipt was confirmed by Mr. Harder.
2. The Certificate of Service as described in the Court's Order Approving Motion to Withdraw (DE 47) was not filed by the undersigned due to inadvertence or mistake.
3. Upon receipt of the Court's Order to Show Cause, the undersigned has now filed its Certificate of Service (DE 51) certifying that the Order Approving Withdrawal of Counsel (DE 47), the Order Setting Evidentiary Hearing on Plaintiff's Motion for Default

Judgment (DE 45), and the Order to Show Cause (DE 50), have been provided to Defendants, Grow, LLC and Sean Michael Harder by electronic mail on May 10, 2023.

WHEREFORE, the undersigned counsel, Justin D. Niznik, respectfully requests this Court find him in compliance with the Courts Order Approving Withdrawal of Counsel and the Order to Show Cause.

Dated: May 10, 2023.

*/s/Justin D. Niznik*

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**JUSTIN D. NIZNIK**

Florida Bar No. 774901

**BOWMAN AND BROOKE LLP**

1064 Greenwood Boulevard - Suite 212

Lake Mary, Florida 32746-5419

(407) 585-7600

(407) 585-7610 – Fax

Justin.niznik@bowmanandbrooke.com

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on May 10, 2023, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, system, which generates a notice of the filing to all attorneys of record. I further certify that a copy of the foregoing has also been served by e-mail to Grow, LLC and Sean Michael Harder.

*/s/Justin D. Niznik*

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**JUSTIN D. NIZNIK**

Florida Bar No. 774901